

AMENDED IN SENATE JUNE 16, 2016

AMENDED IN ASSEMBLY MAY 27, 2016

AMENDED IN ASSEMBLY APRIL 12, 2016

AMENDED IN ASSEMBLY MARCH 28, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2331

Introduced by Assembly Member Dababneh

February 18, 2016

An act to amend Section 1632 of, and to add Sections 1632.55 and 1632.7 to, the Business and Professions Code, relating to dentistry, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 2331, as amended, Dababneh. Dentistry: applicants to practice.

The Dental Practice Act provides for the licensure and regulation of dentists and associated professions by the Dental Board of California within the Department of Consumer Affairs. The act requires each applicant for a license to practice dentistry to successfully complete specified examinations, including receiving a passing score on either a portfolio examination, as specified, or a clinical and written examination administered by the Western Regional Examining Board, which determines the passing score for that examination.

This bill would additionally allow an applicant to satisfy that examination requirement by receiving a passing score on the ~~Patient Centered Curriculum Integrated Dental Examination Format~~ *clinical and written examination* developed by the American Board of Dental Examiners, Inc., subject to prior review and approval of the examination

by the Office of Professional Examination Services, as provided, delivery of this review to the Dental Board of California, and payment of specified expenses incurred by the board.

Existing law authorizes the Director of Finance to accept on behalf of the state any gift of real or personal property whenever he or she deems the gift and the terms and conditions thereof to be in the best interest of the state. Existing law establishes the Special Deposit Fund, a continuously appropriated fund, which consists of money that is paid into it in trust pursuant to law when no other fund has been created to receive that money.

This bill would authorize the Director of Finance to accept funds for the purposes of reviewing and ~~implementing~~ *analyzing* the dental examination developed by the American Board of Dental Examiners, Inc., described above. Because these funds would be deposited in the Special Deposit Fund, a continuously appropriated fund, this bill would make an appropriation.

Vote: majority. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1632 of the Business and Professions
2 Code is amended to read:
3 1632. (a) The board shall require each applicant to successfully
4 complete the Part I and Part II written examinations of the National
5 Board Dental Examination of the Joint Commission on National
6 Dental Examinations.
7 (b) The board shall require each applicant to successfully
8 complete an examination in California law and ethics developed
9 and administered by the board. The board shall provide a separate
10 application for this examination. The board shall ensure that the
11 law and ethics examination reflects current law and regulations,
12 and ensure that the examinations are randomized. Applicants shall
13 submit this application and required fee to the board in order to
14 take this examination. In addition to the aforementioned
15 application, the only other requirement for taking this examination
16 shall be certification from the dean of the qualifying dental school
17 attended by the applicant that the applicant has graduated, or will
18 graduate, or is expected to graduate. Applicants who submit
19 completed applications and certification from the dean at least 15

1 days prior to a scheduled examination shall be scheduled to take
2 the examination. Successful results of the examination shall, as
3 established by board regulation, remain valid for two years from
4 the date that the applicant is notified of having passed the
5 examination.

6 (c) Except as otherwise provided in Section 1632.5, the board
7 shall require each applicant to have taken and received a passing
8 score on one of the following:

9 (1) A portfolio examination of the applicant's competence to
10 enter the practice of dentistry. This examination shall be conducted
11 while the applicant is enrolled in a dental school program at a
12 board-approved school located in California. This examination
13 shall utilize uniform standards of clinical experiences and
14 competencies, as approved by the board pursuant to Section 1632.1.
15 The applicant shall pass a final assessment of the submitted
16 portfolio at the end of his or her dental school program. Before
17 any portfolio assessment may be submitted to the board, the
18 applicant shall remit the required fee to the board to be deposited
19 into the State Dentistry Fund, and a letter of good standing signed
20 by the dean of his or her dental school or his or her delegate stating
21 that the applicant has graduated or will graduate with no pending
22 ethical issues.

23 (A) The portfolio examination shall not be conducted until the
24 board adopts regulations to carry out this paragraph. The board
25 shall post notice on its Internet Web site when these regulations
26 have been adopted.

27 (B) The board shall also provide written notice to the Legislature
28 and the Legislative Counsel when these regulations have been
29 adopted.

30 (2) Either one of the following examinations:

31 (A) A clinical and written examination administered by the
32 Western Regional Examining Board.

33 (B) ~~The Patient-Centered Curriculum Integrated Dental~~
34 ~~Examination Format~~ *clinical and written examination* developed
35 by the American Board of Dental Examiners, Inc.

36 (d) Notwithstanding subdivision (b) of Section 1628, the board
37 is authorized to do either of the following:

38 (1) Approve an application for examination from, and to
39 examine an applicant who is enrolled in, but has not yet graduated
40 from, a reputable dental school approved by the board.

(2) Accept the results of an examination described in paragraph (2) of subdivision (c) submitted by an applicant who was enrolled in, but had not graduated from, a reputable dental school approved by the board at the time the examination was administered.

In either case, the board shall require the dean of that school or his or her delegate to furnish satisfactory proof that the applicant will graduate within one year of the date the examination was administered or as provided in paragraph (1) of subdivision (c).

(e) The board may determine the testing format, as related to patients, for the examination provided pursuant to subparagraph (B) of paragraph (2) of subdivision (c).

SEC. 2. Section 1632.55 is added to the Business and Professions Code, to read:

1632.55. (a) Prior to implementation of subparagraph (B) of paragraph (2) of subdivision (c) of Section 1632, the department's Office of Professional Examination Services shall review the American Board of Dental Examiners, ~~Inc.~~, Inc. examination to ensure compliance with the requirements of Section 139 and to certify that the examination process meets those standards, and deliver this review to the Dental Board of California. If the department determines that the examination process fails to meet those standards, does not deliver the review to the Dental Board of California, or if the American Board of Dental Examiners, Inc. fails to pay the costs and expenses the board incurs, as described in subdivision (d), subparagraph (B) of paragraph (2) of subdivision (c) of Section 1632 shall not be implemented.

(b) The American Board of Dental Examiners, Inc. examination process shall be regularly reviewed by the department pursuant to Section 139.

(c) The American Board of Dental Examiners, Inc. examination shall meet the mandates of subdivision (a) of Section 12944 of the Government Code.

(d) The American Board of Dental Examiners, Inc. shall pay all reasonable costs and expenses the board incurs for the purposes of implementing this section.

(e) The American Board of Dental Examiners, Inc. examination may only be accepted for licensure by a candidate after it is determined that the examination has met the requirements of this section. Examinations taken prior to that date may not be used for licensure.

1 SEC. 3. Section 1632.7 is added to the Business and Professions
2 Code, to read:
3 1632.7. The Department of Finance may accept funds pursuant
4 to Sections 11005.1 and 16302 of the Government Code for the
5 purposes of reviewing and ~~implementing~~ *analyzing* the examination
6 developed by the American Board of Dental Examiners, Inc., as
7 described in ~~paragraph (2) of subdivision (e) of Section 1632.~~
8 *Section 1632.55.*

O